

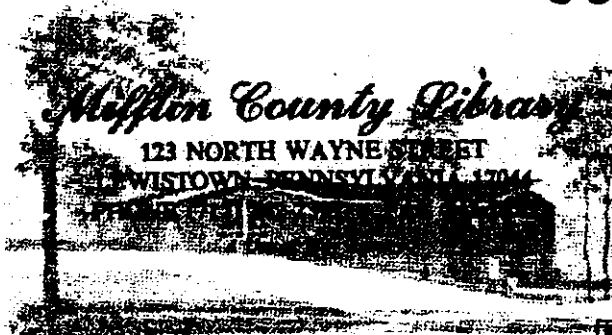
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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

June 3, 1999

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Federal Communications Commission
Office of the Secretary
445 12th Street, S.W.
Room TW-A325
Washington, DC 20554

In the matter of:
Request for Review by Mifflin County Library of Decision of
Universal Service Administrator
FCC Docket Nos. 97-27 and 96-56

USCN Number 519080000017602
471 Application Number 107111
Funding Request Numbers 151673, 151674, 151675, 151676, 151677
Billed Entity Number 125693

I am writing to the FCC to appeal the decision of the Schools and Libraries Division (SLD) of the Universal Service Administrative Company which denied Universal Service Discounts to our public library by rejecting these five FRNs of our 1998-99 Form 471 application number 107111. I have tried to provide as much information as possible in a clear and concise manner below and in the attached supporting documentation.

On Tuesday, March 2, 1999, I received a letter from the SLD dated February 24, 1999, which included their decisions on the final discount requests from Form 471 number 107111. On March 17, 1999, I wrote a letter of appeal to SLD on these five items (FRN 151673 - 151677) which were not funded. I received their letter denying the appeal which was dated May 26, 1999, on May 28, 1999. The appeal was denied because each of the FRNs had both one-time priority 2 costs and monthly priority 1 costs and "approved procedures do not permit us to split funding requests."

Mifflin County Library's appeal is based on the fact that Mifflin County Library's Form 471 was filed on April 11, 1998 before specific priorities for funding were established by the FCC in June 1998 and that the Mifflin County Library is only requesting funding

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for those priority 1 items which are distinctly identifiable on the disputed FRNs. It is also based on the fact that there never was a rule that if there were mixed categories of service that all items on a FRN would be reclassified to priority 2 status.

A detailed explanation follows:

When the Mifflin County Library prepared the 1998-99 Form 471 number 107111, we were very careful to include only those items which were listed as approved equipment and services in the SLC's website and mailed instructions. Since there were no established priorities for funding at the time, both one-time and monthly charges for the frame relay/Internet service were included on the same line for each of the five libraries in our system. The one-time charges were for the wiring, routers, etc. necessary to establish the frame-relay system we were purchasing for our Internet access. Monthly charges were for frame relay Internet services including e-mail.

The appeal which we filed did not request funding for the one-time charges since we understood that these were priority 2 items for the Mifflin County Library. Our service for the frame relay system began on September 28, 1998, not the August 1, 1998, service start date we had anticipated when we filed our Form 471 in April 1998. Consequently, the library's appeal requested only funding from that date through June 30, 1999 (a 9 month period).

For FRN 0000151673 (Library code no. 125693), the monthly frame relay service/Internet connection charge is \$260. The service began September 28, 1998. The total pre-discount cost through June 30, 1999 (9 months) would be \$2,340. Mifflin County Library's approved discount percentage is 65%.

For FRN 0000151674 (Library code no. 147103), the monthly frame relay service/Internet connection charge is \$260. The service began September 28, 1998. The total pre-discount cost through June 30, 1999 (9 months) would be \$2,340. Mifflin County Library - Allensville Branch's approved discount percentage is 65%.

For FRN 0000151675 (Library code no. 147104), the monthly frame relay service/Internet connection charge is \$260. The service began September 28, 1998. The total pre-discount cost through June 30, 1999 (9 months) would be \$2,340. Mifflin County Library - Kishacoquillas Branch's approved discount percentage is 65%.

For FRN 0000151676 (Library code no. 147105), the monthly frame relay service/Internet connection charge is \$260. The service began September 28, 1998. The total

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pre-discount cost through June 30, 1999 (9 months) would be \$2,340. Mifflin County Library - Milroy Branch's approved discount percentage is 65%.

For FRN 0000151677 (Library code no. 147106), the monthly frame relay service/ Internet connection charge is \$260. The service began September 28, 1998. The total pre-discount cost through June 30, 1999 (9 months) would be \$2,340. Mifflin County Library - Rothrock Branch's approved discount percentage is 65%.

I am enclosing copies of all monthly bills from October 1998 through May 1999 to verify the charges we are paying ACSWorld, Inc. for this service. The June 1999 invoice has not yet been received. Copies of the funding decision letter from SLD, Mifflin County Library's appeal request letter, the appeal decision letter from SLD, and the original Form 471 are also enclosed.

Based on these facts, I respectfully request that the Mifflin County Library receive funding for the priority 1 items contained in these FRNs. Please contact me at the above phone or fax numbers if you need additional information. The library's e-mail address is mifflincolib@acsworld.net.

Sincerely,



Carol J. Veitch, PhD
Library Director

FCC Form

471

Schools and Libraries Universal Service Services Ordered and Certification Form

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 APPROVAL BY OMB
 3060-0806

Estimated Average Burden Hours Per Response: 6 hours

This form asks schools and libraries to list the eligible telecommunications-related services they have ordered and estimate the annual charges for them so that the Schools and Libraries Corporation can set aside sufficient support to reimburse providers for services.

Please read instructions before completing.

(To be completed by each Billed Entity)

Block 1: Applicant Address and Identifications (School, library, or consortium desiring Universal Service funding.)

1. Name of Applicant (Billed Entity)

Mifflin County Library

2. Funding Year

1998

3a. NCES School Code (if individual school) or NCES Library Code (if individual library)

3b. 471 Application Number (Administrator will insert this)

3c. Billed Entity Number

125693

4a. Type of Applicant

(Check only one box)

☐ school☐ school district☒ library or library consortium under the LSTA☐ consortium of multiple entities

4b. If applicant is a consortium, check all other boxes that apply:

☐ includes non-government entities ineligible for support☐ state educational agency☐ region of a state ☐ statewide ☐ multi-state☐ local educational agency☐ educational services agency

5. Applicant's Street Address, P.O. Box, or Route Number

123 North Wayne Street

City

State

Zip Code

Telephone Number

E-mail Address

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